



Department of Education  
c/- Mr David Lewis  
Principal Statutory Planner  
Department of Education  
-via email-  
david.lewis83@det.nsw.edu.au

Our ref: SSD-10465

Dear Mr Lewis

**Subject: Mosman High School Upgrades (SSD 10465) – Request to waive the need for a BDAR under the *Biodiversity Conservation Act 2016***

I refer to your correspondence dated 4 March 2021 requesting the issue of a waiver from the need for a Biodiversity Development Assessment Report (BDAR) to be submitted as part of the above referenced state significant development (SSD) application.

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act):

*“Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.”*

The authority of the “*Planning Agency Head*” to determine whether a proposed development is “*not likely to have any significant impact on biodiversity values*” has been delegated to Directors within the Planning and Assessment Division of the Department of Planning, Industry and Environment (the Department).

Accordingly, I have reviewed the application of the test of significance under sections 1.5 and 7.3 of the BC Act and clause 1.4 of the Biodiversity Conservation Regulation 2017 and considered the information provided in the assessment report prepared by NGH Consultants dated 2 March 2021. I have determined that the development is not likely to have any significant impacts on biodiversity values and that the application does not need to be accompanied by a BDAR. A waiver under section 7.9 is therefore granted for the proposed development (being the Mosman High School Upgrades – SSD 10465)

The delegated “*Environment Agency Head*” in the Environment, Energy and Science Group of the Department has also granted a waiver in a letter dated 15 March 2021 and a copy of that letter is attached.

This waiver is issued in respect of the proposed development detailed in a request for Planning Secretary’s environmental assessment requirements (SEARs) dated 18 June 2020 as revised in your correspondence dated 4 March 2021. Amendments to the development may require a further waiver to be sought and issued.

Should you have any enquiries regarding the above matter, please contact Tahlia Alexander on 02 9995 6022 or via email at [tahlia.alexander@planning.nsw.gov.au](mailto:tahlia.alexander@planning.nsw.gov.au).

Yours sincerely,

18 March 2021

Karen Harragon  
**Director, Social and Infrastructure Assessments**  
**As delegate of the Secretary**

Attachment: signed Environment, Energy and Science Group Waiver